

REMARKS/ARGUMENTS

In the Office Action dated February 5, 2007, claims 105 - 116 were rejected. In response, Applicant has amended claims 105 - 108, 110 - 113, and 116 and hereby requests reconsideration of the application in view of the amended claims and the below-provided remarks.

Claim 105

Claim 105 has been amended 1) to include commas around the phrase "in the form of phonetic clues to the pronunciation of word-shapes in the standard text," and 2) to recite "display means for displaying at least one of said processed texts." Support for amendment item 2 is found in Applicant's specification at, for example, paragraphs [0013], [0014], [0015], and Figs. 2, 3, and 5. As amended, claim 105 recites:

"A computer-based text processor and display system for facilitating user familiarisation with word-shapes of a standard text written in a standard writing system of a natural language, the text processor and display system including:

a pronouncing-dictionary data-base in which word-shapes of the standard text are matched with information indicative of the pronunciation of said word-shapes,

a converter adapted to convert the standard text into a plurality of non-standard processed texts by adding information from the data-base to the standard text, in the form of phonetic clues to the pronunciation of word-shapes in the standard text, so that the non-standard processed texts differ one from another by the amount of said phonetic clues in each processed text, and

display means for *displaying at least one of said processed texts.*" (emphasis added)

Claim 105 is rejected under 35 U.S.C. 101, 112, and 102. Applicant respectfully requests that all of the rejections of claim 105 be withdrawn in view of the below-provided remarks.

Rejection Under 35 U.S.C. 101

Claim 105 is rejected as allegedly being directed to non-statutory subject matter. Applicant asserts that amended claim 105 is directed to statutory subject matter because the claimed subject matter falls within the statutory category of a "machine" or because the claimed subject matter is a practical application of one of the Judicial Exceptions (i.e., an abstract idea).

Firstly, Applicant asserts that the subject matter of claim 105 clearly falls within the statutory category of a "machine." The computer-based text processor and display system as recited in claim 105 includes a pronouncing-dictionary data-base, a converter, and a display means. The computer-based text processor and display system has utility which includes "teaching of writing and/or pronunciation to people learning new languages, to improve the writing skills and comprehension of native speakers and to familiarizing native speakers and others with the spelling and pronunciation of technical or unusual terms." (Applicant's specification, paragraph [0003]) Given that claim 105 clearly recites a "machine" having a pronouncing-dictionary data-base, a converter, and a display means and that the machine has a clearly stated utility, Applicant asserts that claim 105 recites statutory subject matter under 35 U.S.C. 101.

Secondly, Applicant asserts that even if the subject matter of claim 105 is found to fall within the Judicial Exception of an "abstract idea," the subject matter of amended claim 105 provides a practical application of the Judicial Exception and therefore recites statutory subject matter under 35 U.S.C. 101. Specifically, the subject matter of amended claim 105 provides a useful, concrete, and tangible result and is therefore patentable subject matter under 35 U.S.C. 101. Amended claim 105 recites "display means for *displaying at least one of said processed texts*." (emphasis added) That is, the result recited in the claim is the displaying of at least one of the processed texts. The displaying of at least one of the processed texts (i.e., the result) is:

- 1) useful because it enables "teaching of writing and/or pronunciation to people learning new languages, to improve the writing skills and comprehension of native speakers and to familiarizing native speakers and others with the spelling and pronunciation of technical or unusual terms." (Applicant's specification, paragraph [0003]);
- 2) concrete because the displaying of at least one of the processed texts is assured and reproducible; and
- 3) tangible because the displaying of at least one of the processed texts is a real world result that can be seen by a user of the computer-based text processor and display system. In contrast to claim 105, if the result were merely a thought, it would not be a tangible or real-world result. For example, merely determining or calculating a price may not be held to be a tangible result, instead reasonably being interpreted as

just a thought or a computation within a processor. However, calculating a price of an item to sell (which corresponds to generating processed texts) and then conveying the calculated price to a potential customer (which corresponds to displaying at least one of the processed texts) would be a tangible result. Because "displaying at least one of said processed texts" is a result that is concrete, useful, and tangible, Applicant asserts that the claimed subject matter provides a practical application of a Judicial Exception and is therefore statutory subject matter under 35 U.S.C. 101.

Rejection Under 35 U.S.C. 112

Claim 105 has been amended by adding commas around the phrase "in the form of phonetic clues to the pronunciation of word-shapes in the standard text." The commas particularly point out that the "information", which is added to the standard text, is "in the form of phonetic clues to the pronunciation of word-shapes in the standard text." Applicant asserts that amended claim 105 particularly points out and distinctly claims the subject matter which Applicant regards as the invention.

Rejection Under 35 U.S.C. 102

Claim 105 is rejected under 35 U.S.C. 102(b) as being anticipated by Collins et al. (U.S. Pat. No. 5,594,642, hereinafter Collins). Applicant asserts that claim 105 is not anticipated by Collins because Collins does not disclose a converter that converts standard text into "a plurality of non-standard processed texts" that "differ one from another by the amount of said phonetic clues in each processed text." (emphasis added)

The Office action cites column 8, lines 29 – 30 and Fig. 2 of Collins as disclosing all of the elements of the converter recited in claim 105 and specifically addresses various limitations of the converter. Although the Office action specifically addresses various limitations of the converter, the limitation "a plurality of non-standard processed texts" that "differ one from another by the amount of said phonetic clues in each processed text" (emphasis added) is not specifically addressed in the Office action. In addition to not being specifically addressed in the Office action, Applicant asserts that Collins does not disclose "a plurality of non-standard processed texts" that "differ one from another by the amount of said phonetic clues in each processed text" as recited in claim 105. At column 8, lines 29 – 30, Collins discloses that the Pinyin term "beijing" can be converted to "bei3jing1" and

“bei4jing3.” However, “bei3jing1” and “bei4jing3” do not disclose “a plurality of non-standard texts” that “differ one from another by the amount of said phonetic clues in each processed text.” (emphasis added) as recited in claim 105.

Because Collins does not disclose “a plurality of non-standard processed texts” that “differ one from another by the amount of said phonetic clues in each processed text” as recited in claim 105, Applicant asserts that claim 105 is not anticipated by Collins.

Rejection of Claims 106 – 116 under 35 U.S.C. 101

Claims 106 – 116 are rejected under 35 U.S.C. 101 for reasons that are similar to the rejection of claim 105. Applicant has amended claims 106, 107, 110, 111, and 116 similar to claim 105, e.g., to include “display means for displaying at least one of said processed texts” or “displaying at least one of said processed texts.” Although the language of claims 106 – 116 differs from the language of claim 105 and the scope of claims 106 – 116 should be interpreted independently of claim 105, Applicant respectfully asserts that the remarks provided above in regard to claim 105 apply also to claims 106 – 116. In particular, the remarks related to a “machine” apply to claims 106 and 107 while the remarks related to Judicial Exception apply to claims 106, 107, 110, 111, and 116. Further, Applicants assert that claims 110, 111, and 116, as amended, fall into the statutory category of a “process.” Accordingly, Applicant respectfully asserts claims 106 – 116 recite patentable subject matter under 35 U.S.C. 101.

Rejection of Claims 106, 108, and 113 Under 35 U.S.C. 112

Claim 106 is rejected under the logic “it is confused and unclear that what difference between ‘phonetically enriched text’ and ‘non-standard processed texts’ really is.” Applicant asserts that the difference between “enriched text” and “processed text” is described in detail in Applicant’s specification at paragraphs [0082] (“standard text”), [0085] (“enriched text”), [0086] (“processed texts”), [0090] [0115], specifically paragraphs [0105], and Figs. 1 and 2. In particular, as described in Applicant’s specification and recited in claim 106, the processed text differs from the enriched text in that the processed text includes “*some* of the phonetic clues of the enriched text,” (claim 106) (emphasis added) but not necessarily all of the phonetic clues of the enriched text. The relationship between enriched text and processed text

is clearly depicted for example, in Fig. 2 of Applicant's specification. As shown in Fig. 2, the different processed texts are generated from the enriched text. Because claim 106 recites that the processed texts include "*some* of the phonetic clues of the enriched text," (emphasis added) and in view of the definitions, figures, and description of enriched text and processed text in Applicant's specification, Applicant asserts that claim 106 meets all of the requirements of 35 U.S.C. 112.

Claims 108 and 113 have been amended to recite the term "reconversion homonyms" instead of "homophonous homonyms." Support for the amendment to claims 108 and 113 is found in Applicant's specification at, for example, paragraphs [0025], [0089], [0091], [0092], [0115], and [0117] and Figures 1 and 3.

Claims 106, 107, 110, 111, and 116

Claims 106, 107, 110, 111, and 116 include similar limitations to claim 105. Specifically, claims 106, 107, 110, 111, and 116 recite converting standard text into a plurality of non-standard processed texts that differ one from another by the amount of said phonetic clues in each processed text. Although the language of claims 106, 107, 110, 111, and 116 differs from the language of claim 105 and the scope of claims 106, 107, 110, 111, and 116 should be interpreted independently of claim 105, Applicant respectfully asserts that the remarks provided above in regard to the 35 U.S.C. 102 rejection of claim 105 apply also to claims 106, 107, 110, 111, and 116. Accordingly, Applicant respectfully asserts claims 106, 107, 110, 111, and 116 are patentable over Collins because Collins does not disclose converting standard text into a plurality of non-standard processed texts that differ one from another by the amount of said phonetic clues in each processed text as recited in claims 106, 107, 110, 111, and 116.

Rejection of Claims 109 and 115 Under 35 U.S.C. 102

Claims 109 and 115 are rejected under 35 U.S.C. 102(b) as being anticipated by Collins. Applicant asserts that claims 109 and 115 are not anticipated by Collins because Collins does not disclose a display that is adapted "to make visible said *phonetic clues* in the processed texts *as variations in the visual appearance of the letters* of word-shapes in the processed texts as displayed" (claim 109) or "displaying the phonetic clues in at least one processed text as variations in the visual appearance of letters in the at least one processed text" (claim 115). That is, claims 109 and 115

recite that phonetic clues are represented in text by changing the visual appearance of letters. Examples of visually altered letters as phonetic clues are shown in Fig. 4 of Applicant's specification.

In support of the rejection of claims 109 and 115, the Office action cites "Fig. 7c and col. 8, lines 18 – 30; col. 4, lines 45 – 63; wherein the display device necessarily and/or inherently includes displaying phonetic text, such as pinyin that uses alphabetic letters and has a letter order of spelling." While Collins does disclose that the Pinyin term "beijing" can be converted to "bei3jing1" and "bei4jing3," the insertion of the numbers 3, 1, 4, and 3 into the word "beijing" does not disclose changing the visual appearance of letters to represent phonetic clues. At col. 4, lines 46 – 47, Collins discloses that "newly entered text should be visually distinct from the rest of the document so that a user can see which text is being processed." Visually altering text to see which text is being processed does not disclose visually altering letters to represent phonetic clues as recited in claims 109 and 115. Because Collins does not disclose a display that is adapted "to make visible said *phonetic clues* in the processed texts *as variations in the visual appearance of the letters* of word-shapes in the processed texts as displayed" (claim 109) or "displaying the phonetic clues in at least one processed text as variations in the visual appearance of letters in the at least one processed text" (claim 115), Applicant asserts that claims 109 and 115 are not anticipated by Collins.

Claims 107 and 112

Claims 107 and 112 are not identified in the Office action as being rejected under 35 U.S.C. 102 or 35 U.S.C. 103. Applicant asserts that in the absence of a rejection in the Office action, claims 107 and 112 are allowable as presented herein. Additionally, claim 107 has been amended similar to claim 105 to recite "display means for visually displaying at least one of said non-standard processed texts" and therefore, Applicant asserts that claim 107 is allowable for similar reasons to claim 105.

Editorial and other minor amendments to the claims

Claim 110, along with depending claims 112 – 115, have been explicitly restricted to alphabetic writing systems for clarity. The opportunity has also been taken to make other minor editorial amendments. No new matter has been thereby added.

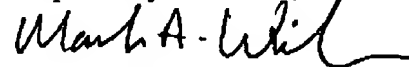
CONCLUSION

Applicant respectfully requests reconsideration of the claims in view of the amendments and remarks made herein. A notice of allowance is earnestly solicited.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-3444 pursuant to 37 C.F.R. 1.25. Additionally, please charge any fees to Deposit Account 50-3444 under 37 C.F.R. 1.16, 1.17, 1.19, 1.20 and 1.21.

Date: 7-3-2007

Respectfully submitted,



Mark A. Wilson
Reg. No. 43,994

Wilson & Ham
PMB: 348
2530 Berryessa Road
San Jose, CA 95132
Phone: (925) 249-1300
Fax: (925) 249-0111